UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

PATRICIA SMALLS,

Plaintiff, Civil Action No. 12-6312 (SRC)

v. **OPINION & ORDER**

RIVIERA TOWERS CORPORATION, ET AL.,

Defendants.

CHESLER, U.S.D.J.

This matter comes before the Court on its own motion. Pending before the Court are motions to dismiss the Amended Complaint by Defendants Wentworth Property Management ("Wentworth") (Docket Entry 21) and Signature Property Group, Inc. ("Signature). Immediately prior to the conclusion of the briefing on the pending motions, Plaintiff Pro Se Patricia Smalls attempted to file a Second Amended Complaint adding seven new parties (Docket Entry 33). By letter dated June 5, 2013, Wentworth objected to the Court's consideration of the Second Amended Complaint on the grounds that it was improperly filed. (Docket Entry 34). Signature joined in opposition by letter dated June 6, 2013. (Docket Entry 35) On June 7, 2013, Plaintiff filed a Third Amended Complaint adding an additional five defendants. (Docket Entry 39) Under the Federal Rules of Civil Procedure, pleadings may be amended only once as a matter of course. Fed. R. Civ. P. 15(a)(1). "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave." Fed. R. Civ. P. 15(a)(2). Plaintiff,

having already amended the complaint once, is ineligible to amend again without first seeking the Defendants' consent or requesting leave of this Court. Because Plaintiff has failed to do either, both the Second Amended Complaint and the Third Amended Complaint are not properly filed and will not be considered by the Court.

For these reasons,

IT IS on this 10th day of June, 2013,

ORDERED that the Plaintiff's Second Amended Complaint (Docket Entry 33) be and hereby is **STRICKEN**; and it is further

ORDERED that the Plaintiff's Third Amended Complaint (Docket Entry 39) be and hereby is **STRICKEN**; and it is further

ORDERED that the Plaintiff shall, in compliance with Federal Rule of Civil Procedure 15, obtain the consent of opposing parties or leave of this Court before filing any further amended complaints.

s/ Stanley R. Chesler Stanley R. Chesler, U.S.D.J.